

Amendments to the Claims

1-52 (Cancelled)

53. (New) An *Aspergillus* mold fungus having no detectable β -fructofuranosidase activity, which is missing all or part of a β -fructofuranosidase gene on its chromosome DNA.

54. (New) The *Aspergillus* mold fungus according to claim 54, which is *Aspergillus niger* NIA 1602 (FERM BP-5853).

55. (New) A process for producing a β -fructofuranosidase comprising:
transforming the mold fungus according to claim 53, using a DNA construction comprising a DNA encoding a β -fructofuranosidase,
cultivating the transformant, and
collecting the β -fructofuranosidase from the transformant and/or the culture thereof.

56. (New) A process for producing a β -fructofuranosidase comprising:
transforming the mold fungus according to claim 54, using a DNA construction comprising a DNA encoding a β -fructofuranosidase,
cultivating the transformant, and
collecting the β -fructofuranosidase from the transformant and/or the culture thereof.